

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

ORDER RESCINDING ORDER ENTERED)
JUNE 12, 1970, AND APPROVING)
THE APPLICATION OF D. J. WARD)
FOR CHANGE IN PLACE OF USE OF)
WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. W-151

An order of the State Engineer entered June 12, 1970, approved an application by D. J. Ward for a change in place of use of water for the irrigation of 20.0 acres. The right in question was established in the name of Arnold Irrigation District for the use of the waters of the Deschutes River for the irrigation of, among other lands, 8.7 acres in NW¼ SW¼, Section 16, Township 18 South, Range 12 East, W.M., with dates of priority of February 1, 1905, and April 25, 1905, being tabulated in the name of Lee Varley as evidenced by certificate of water right recorded at page 29053, Volume 21, State Record of Water Right Certificates. A right was tabulated in the name of R. E. Aulman for the irrigation of, among other lands, 11.3 acres and a change in place of use to 11.3 acres in NW¼ SW¼, Section 16, Township 18 South, Range 12 East, W.M. was approved by an order of the State Engineer entered December 15, 1960, and proof of appropriation of water for beneficial use for the irrigation of these lands was submitted. These lands also have a supplemental right under permit No. 23256 to the use of the water stored in Crane Prairie Reservoir, with a date of priority of February 28, 1913.

The application was submitted through the Arnold Irrigation District. In August, 1970, the Arnold Irrigation District submitted notice that the application approved by the order entered June 12, 1970, was in error in that the proposed place of use of water was improperly described and requested that the order be set aside and a new order be

entered correctly describing the proposed place of use as being for the irrigation of 4.7 acres in NE¼ NE¼, 0.6 acre in SW¼ NE¼, 9.7 acres in SE¼ NE¼, Section 8, Township 18 South, Range 13 East, W.M., 4.5 acres in NW¼ NE¼, and 0.5 acre in SW¼ NE¼, Section 26, Township 18 South, Range 12 East, W.M.

The lands involved herein are within the boundaries of the Arnold Irrigation District and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the order entered June 12, 1970, in the matter of the application of D. J. Ward (Arnold Irrigation District) for the approval of a change in place of use of water is rescinded and the proposed change in place of use of water is approved and the water right herein before described as appurtenant to 20.0 acres in NW¼ SW¼, Section 16, Township 18 South, Range 12 East, W.M., with dates of priority of February 1, 1905, and April 25, 1905, be severed therefrom and simultaneously and without loss of priority transferred to 4.7 acres in NE¼ NE¼, 0.6 acre in SW¼ NE¼, 9.7 acres in SE¼ NE¼, Section 8, Township 18 South, Range 13 East, W.M., 4.5 acres in NW¼ NE¼, and 0.5 acre in SW¼ NE¼, Section 26, Township 18 South, Range 12 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Arnold Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 19th day of March, 1971.



CHRIS L. WHEELER
State Engineer